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STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

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**PUBLIC MEETING MINUTES: DELAWARE BOARD OF MEDICAL PRACTICE**

**MEETING DATE AND TIME: Tuesday, June 1, 2010 at 2:30 p.m.**

**PLACE:** 861 Silver Lake Boulevard  
Second Floor Conference Room A  
Dover, Delaware

MINUTES APPROVED (July 20, 2010)

**MEMBERS PRESENT**

Raymond Moore, Public Member, President, Presiding  
Oluseyi Senu-Oke, M.D., Professional Member, Vice Chairperson  
Stephen Cooper, M.D., Professional Member, Secretary  
Gregory Adams, M.D., Professional Member  
John Banks, Public Member  
George Brown, Public Member  
Galicano Inguito, M.D., Professional Member  
Sophia Kotliar, M.D., Professional Member  
Vincent Lobo, D.O., Professional Member  
Karl McIntosh, M.D., Professional Member  
Joseph Parise, D.O., Professional Member  
Anthony Policastro, M.D., Professional Member  
Daryl Sharman, M.D., Professional Member (2:45 p.m. – 5:12 p.m.)

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Allison Reardon, Deputy Attorney General  
Gayle MacAfee, Executive Director  
Shauna Slaughter, Administrative Specialist II  
Kay Warren, Deputy Director  
James Collins, Director

**MEMBERS ABSENT**

Vonda Calhoun, Public Member  
Thomas Desperito, M.D., Professional Member  
Sharon Jones, Public Member

**ALSO PRESENT**

Lisa Schieffert, Delaware Healthcare Association  
Juli LaBadia, Court Reporter, Wilcox & Fetzer  
Paula Paul, Delaware Academy of Physician Assistants  
Stew Constance, Delaware Academy of Physician Assistants  
Joseph Coladonato, M.D.

Edith Senyumba, M.D.  
Catherine Kopley  
Richard Sherry, M.D.

### CALL TO ORDER

Mr. Moore called the meeting to order at 2:45 p.m.

### REVIEW AND APPROVAL OF MINUTES

The board reviewed the May 4, 2010 Executive Session and meeting minutes for approval. Dr. Policastro moved, seconded by Mr. Brown, to approve the Executive Session and meeting minutes as amended. Motion unanimously carried.

### UNFINISHED BUSINESS

#### Results of Executive Session Discussion

Dr. Policastro moved, seconded by Mr. Brown, that the board after having reviewed the results of the investigations, determined in the exercise of its discretion, that the matters not proceed further and that the following investigations be closed as noted without prosecution in the following cases. Motion unanimously carried.

#### Cases Closed

10-46-09	10-55-09	10-82-09
10-88-09	10-23-10	10-33-10

Dr. Policastro moved, seconded by Mr. Brown, to table Case number 10-70-10 for further information. Motion unanimously carried.

#### Sign Order from Hearing Held on May 4, 2010 for Anne C. Aldridge, M.D.

The board members who attended the hearing affixed their signatures to the Order.

#### Tabled Deliberations on Propose to Deny Hearing for Sidney M. Grobman, D.O. (Requested Continuance until July meeting)

This item was tabled until the July meeting per Dr. Grobman's request for a continuance.

#### Review Physician Application from Hillel Wirsztel, M.D. – Placed on Probation during Residency – Requires a Waiver

The board reviewed the application of Hillel Wirsztel, M.D. to determine whether he would meet the conditions to be granted a waiver pursuant to 24 DeI. C. Section 1720(e). Dr. Adams moved, seconded by Dr. Senu-Oke, to grant a waiver. Motion unanimously carried. Dr. Wirsztel will be set up for an interview to complete the application process.

#### Review Physician Application from Jason Yonker, M.D. – Requires a Waiver

The board reviewed the application of Jason Yonker, M.D. to determine whether he would meet the conditions to be granted a waiver pursuant to 24 DeI. C. Section 1720(e). Dr. Cooper moved, seconded by

Dr. Senu-Oke, to grant a waiver. Motion unanimously carried. Dr. Yonker will be set up for an interview to complete the application process.

Fill Vacancy on Respiratory Care Practice Advisory Council

Ms. MacAfee advised the board of the need to fill a vacancy on the Respiratory Care Advisory Council. She asked Dr. Parise if he would be interested in filling the position. He was unable to provide an answer at this time. Ms. MacAfee will discuss it with him at a later date.

Request for Withdrawal of Application from Allan Bradley Martin, M.D.

The board reviewed Dr. Martin's request to withdraw his application to practice medicine in Delaware. Dr. Senu-Oke moved, seconded by Dr. Cooper, to accept the withdrawal request. Motion unanimously carried.

Review Physician Application from Andrew Rhodes, D.O. – Requires a Waiver

The board reviewed the application of Andrew Rhodes, D.O. to determine whether he would meet the conditions to be granted a waiver pursuant to 24 Del. C. Section 1720(e). Dr. Policastro moved, seconded by Dr. Senu-Oke, to table the application for further clarification. Motion unanimously carried.

Review Physician Application from Joseph Coladonato, M.D. – Disciplined in Pennsylvania and Voluntarily Surrendered License in New Jersey

The board reviewed the application to practice medicine from Joseph Coladonato, M.D. Dr. Senu-Oke moved, seconded by Dr. Cooper, to propose to deny the application pursuant to 24 Del. C. Section 1720(b) (4). Motion unanimously carried.

Review Physician Application from Jeffrey Ruiz, D.O. – Requires a Waiver

The board reviewed the application of Jeffrey Ruiz, D.O. to determine whether he would meet the conditions to be granted a waiver pursuant to 24 Del. C. Section 1720(e). Dr. Cooper moved, seconded by Dr. McIntosh, to grant a waiver. Motion unanimously carried. Dr. Ruiz will be set up for an interview to complete the application process.

Draft Legislation from Representative Daniel Short on Oversight for Healthcare Work for Hire Contracts – Dr. Policastro

Dr. Policastro and Dr. McIntosh provided additional information about the draft legislation from Representative Daniel Short. Dr. Rich Sherry was also present and explained the Bill and the reason it was created.

Propose to Deny Hearing for Edith Senyumba, M.D. (3:00 p.m.)

At 3:27 p.m., Mr. Moore called the proposal to deny hearing to order on the application submitted by Edith Senyumba, M.D. The board introduced themselves for the record. Verbatim testimony was taken by the court reporter. Ms. Reardon read the purpose of the hearing. The application packet and supporting documents were marked as Board Exhibit 1 for the record. Ms. Reardon verified that Dr. Senyumba waived her right to counsel. Dr. Senyumba was sworn in and had a document summarizing her experience marked as Applicant Exhibit 1 for the record. She presented her case and responded to questions asked by the board members. At 3:58 p.m., the board went off the record to deliberate.

The board observed a brief recess 4:12 p.m. – 4:26 p.m.

At 4:26 p.m., the board continued to deliberate. At 4:27 p.m., the board went back on the record. Dr. Senyumba requested to withdraw her application to practice medicine in Delaware. Dr. Senu-Oke moved, seconded by Mr. Brown, to accept the withdrawal request. Motion unanimously carried. The hearing concluded at 4:31 p.m.

## NEW BUSINESS

### Review of Applications for Registration and Licensure

Physicians for Licensure – Medical – Dr. Cooper moved, seconded by Dr. Senu-Oke, to approve the following medical doctors for a certificate to practice medicine, and to place Dr. Mwazhuwa Kuretu on the list of M.D.'s for licensure, as all applicants had met the licensure requirements as set forth by statute. Motion unanimously carried.

#### M.D.'s for Licensure

Joseph Bottner	Joel Chua	Jeffrey Conly	David Cook
Christopher Fecarotta	Tao Hong	Heather Horton	Mwazhuwa Kuretu
Liana Lera-Ayotte	Anand Mantravadi	Kimberly Nalda	Mandeep Othee
Paula Patton	Mary Sammon	Mark Scheer	Raza Shah
Samuel Stubblefield	Atif Zaheer		

Physicians for Licensure – Osteopathic – Dr. Senu-Oke moved, seconded by Dr. Cooper, to approve the following osteopathic doctors for a certificate to practice medicine, as all applicants had met the licensure requirements as set forth by statute. Motion unanimously carried.

#### D.O.'s for Licensure

Courtney Corrin	Terrence Katona	Sarah McTighe	Thomas Sargent
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### Physician Assistant(s) for Licensure

Dr. Cooper moved, seconded by Dr. Senu-Oke, to approve the following physician assistants for licensure as noted below. Motion unanimously carried.

Sarah Droddy	Brian Freud
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Dr. Cooper moved, seconded by Dr. Senu-Oke, to approve the following physician assistants for prescriptive authority as noted below. Motion unanimously carried.

### Physician Assistants for Prescriptive Authority – Controlled and Non-Controlled

Aaron Block	Sarah Droddy	Malcolm Owen
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### Respiratory Care Practitioners for Licensure

Dr. Cooper moved, seconded by Dr. Senu-Oke, to approve the following Respiratory Care Practitioners for licensure as noted below. Motion unanimously carried.

Charles Ciccone	Carol Dambman	Steven Gruber	Angela Herring
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### Paramedics

Dr. Cooper moved, seconded by Dr. Senu-Oke, to approve the following Paramedic for licensure as noted below. Motion unanimously carried.

Daniel Tilghman

Acupuncture Practitioners

Dr. Lobo moved, seconded by Dr. Senu-Oke, to approve the following Acupuncture Practitioner for licensure as noted below. Motion unanimously carried.

Lan Wei

Advanced Practice Nurses for Prescriptive Authority

Dr. Inguito moved, seconded by Mr. Brown, to approve the following Advanced Practice Nurses for Prescriptive Authority as noted below. Motion unanimously carried.

<u>Practitioner Specialty Type</u>	<u>Collaborator</u>
<u>Certified Registered Nurse Anesthetist</u> Andrea Roberts	T. Barnett, MD
<u>Family Nurse Practitioner</u> Jennifer Hardt-Burchard Gaynel Fontaine Michele Kuhn Valerie Schimpf	F. Owczarek, MD – Eye Care of Delaware C. Case, MD – Henrietta Johnson Medical Center S. Garg, MD – VA Medical Center Wilmington T. Bianchetta, MD – Health Care Center at Christiana
<u>Medical-Surgical Clinical Nurse Specialist</u> Maureen Seckel	Christiana Care Health System

Proposed Changes to the Rules and Regulations from the Delaware Academy of Physician Assistants – Approved by the Physician Assistant Regulatory Council

Dr. Cooper moved, seconded by Dr. Senu-Oke, to table this item for further information. Motion unanimously carried.

Letter Dated May 18, 2010 from Ray A. Blackwell, M.D. Re: Exemption Request

The board reviewed a letter from Dr. Blackwell in which he requested an exemption to allow Dr. Mwazhuwa Kuretu to supervise three physician assistants at the same time. Dr. Lobo moved, seconded by Dr. McIntosh, to grant the exemption. Motion unanimously carried.

Request for Proposed Regulations on Requiring Electronic Backup of all Electronic Patient Medical Records

Ms. MacAfee advised the board that she received an email from Bruce DiVincenzo the Chief Agent for the Office of Narcotics and Dangerous Drugs requesting that the board require all electronic patient medical records to be backed up. The board agreed to add this item to their list of pending regulatory changes for future review.

Sign Certificate of Appreciation for Nasreen Khan, D.O.

The board signed a certificate of appreciation for Dr. Khan and one for Mr. Daniels.

Discuss New Process for Handling Investigative Cases

Ms. MacAfee proposed a new process for handling investigative cases. The new process would involve the co-investigator throughout the investigation and would no longer require the co-investigator to generate a separate report. The board agreed to the new process.

OTHER BUSINESS BEFORE THE BOARD (For Discussion Only)

Dr. Policastro commented about Dean Ammons report and about there being no mandate that hearings are held in executive session. He did not think that the board needed to discuss complaints recommended for closure in executive session. The board did not wish to change that process at this time.

Dr. Lobo commented that he believes that there should be more specific guidelines for prescribing narcotics. Mr. Collins advised that the Controlled Substance Advisory Council is under the Division of Professional Regulation and there are two Pharmacists on staff to do inspections.

Mr. Banks inquired about some information he read in the paper about the board having knowledge of a prior complaint against Dr. Bradley and not doing anything about it. Mr. Collins advised that it was recently discovered that in 1994 Delaware sent a letter to the Pennsylvania board advising that they had received a complaint and they asked the Pennsylvania board to look into it since it occurred in Pennsylvania. Pennsylvania responded that they conducted two investigations and were unable to substantiate the complaint. Based on that information the Delaware complaint was closed.

Public Comment

There was no public comment.


Next Meeting

The board will hold their next meeting on Tuesday, July 20, 2010 at 2:30 p.m., in the 2<sup>nd</sup> floor Conference Room "A" of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

Adjournment

There being no further business before the board, Dr. Senu-Oke moved, seconded by Mr. Brown, to adjourn. Motion unanimously carried. The meeting adjourned at 5:46 p.m.

Respectfully submitted,



Shauna Slaughter  
Administrative Specialist II